

~~C-O-N-F-I-D-E-N-T-I-A-L~~

MEMORANDUM FOR: REGULATIONS CONTROL STAFF, 551 Matomic Building

SUBJECT: Proposed [REDACTED] Employee Inventions

This issuance has been reviewed and our position is as follows:

☐ CONCUR: (Check each factor considered)
 () Substance
 () Rescissions listed
 () Classification
 () Distribution proposed
 () Sterilization (for field issuances only).
 () Minor comments, not affecting concurrence, attached in duplicate

☐ NONCONCUR: Reasons are stated in separate memorandum, attached, in duplicate

GENERAL COUNSEL, ONLY:

☐ CONCUR as to legality
☐ NONCONCUR as to legality
☐ DCI Authentication is required
☐ DCI Authentication is not required

Signature

Office

Date

(Job No. 1689-A-EMT)
Due: 21 August 1956

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Approved For Release 2001/08/31 : CIA-RDP78-04718A002000250002-2

PERSONNEL

17 July 1956

EMPLOYEE INVENTIONS

Rescissions: (1) CIA [REDACTED] 11 December 1951
 (2) CIA [REDACTED] dated 12 January 1952

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SYNOPSIS: This regulation describes procedures whereby Agency employees who make inventions may have their rights to such inventions determined.

1. DEFINITION

"Invention," as defined in Executive Order 10096 and as used for purposes of this regulation, includes any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the patent laws of the United States.

2. PATENTS BOARD

Executive Order 10096 dated 23 January 1950 established policies for determining the rights of Government employees in any inventions made during a period of Government employment. To accomplish the purposes of this directive, the CIA Patents Board was established to act in behalf of the Director of Central Intelligence in making determinations of the employee's rights, subject to the review and decision of the Chairman, Government Patents Board. Members of the CIA Patents Board are designated by the Deputy Director (Support).

3. CIA PATENTS BOARD ACTION

There are three possible determinations which may be made:

- a. The Government is entitled to the entire right, title, and interest in the invention;

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- b. The inventor is entitled to retain title in the invention but subject to the reservation to the Government of a nonexclusive, irrevocable, royalty-free license in the invention with the power to grant licenses for all Government purposes; or
- c. The inventor is entitled to the entire right, title, and interest in the invention.

4. CRITERIA FOR ACTION

Executive Order 10096 provides that the Government may take title to inventions which:

- a. Are made during working hours; or
- b. Are made with a contribution by the Government of facilities, equipment, materials, funds, or information, or of time or services of other Government employees on official duties; or
- c. Bear a direct relation to, or are made in consequence of, the duties of the inventor.

However, if the contributions by the Government as enumerated are not sufficient to entitle the Government to an assignment of the invention, it may be determined that the Government will take only a royalty-free nonexclusive license, leaving the commercial rights with the inventor. If the contributions by the Government are relatively insignificant, it may be determined that the inventor has complete ownership.

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5. EMPLOYEES AFFECTED

Employees of this Agency who have made inventions on or after 23 January 1950 while employed by this Agency, or by another Government activity, should have their rights in those inventions determined. This may be done by the inventor submitting the facts pertinent to the making of the invention to the CIA Patents Board for its review and determination of his rights. The Board's decision will then be forwarded to the Chairman, Government Patents Board, for his review and final determination.

6. REPORTING

Form No. 915: Record of Invention, figure 1, has been designed to assist employees in reporting the information required for the determination of rights. This form, with instructions, may be obtained from the Chairman, CIA Patents Board.

DISTRIBUTION: ALL EMPLOYEES

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RECORD OF INVENTION

1. DATE

SUBMIT IN TRIPPLICATE TO CHAIRMAN, CIA PATENTS BOARD

2. NAME OF INVENTOR

3. POSITION TITLE AND GRADE OR RANK

4. OFFICE

5. DIVISION

6. BRANCH

7. LEGAL RESIDENCE

8. HOME ADDRESS

9. TITLE OF INVENTION

10. BRIEF DESCRIPTION OF INVENTION

11. DEVELOPMENT AND DISCLOSURE DATA

DATE

PLACE

A. CONCEPTION BY INVENTOR

B. DISCLOSURE TO OTHERS

C. FIRST SKETCH OF DRAWING

D. FIRST WRITTEN DESCRIPTION

E. COMPLETION OF MODEL OR FULL-SIZED DEVICE

F. FIRST TEST OF OPERATION OF INVENTION

12. HAS INVENTION BEEN REDUCED TO PRACTICE?

YES

NO

13. NAMES OF PERSONS HAVING KNOWLEDGE OF FACTS STATED UNDER 11.B.

14. STATE TO WHAT EXTENT THE CONCEPTION OF THE INVENTION IS BASED ON INFORMATION OBTAINED FROM YOUR OFFICIAL DUTIES, AND, TO WHAT EXTENT GOVERNMENT TIME, MATERIALS, FACILITIES, EQUIPMENT, ETC. WERE UTILIZED IN MAKING INVENTION.

15. ASSIGNMENTS, IF ANY

16. WITNESS

17. INVENTOR

SIGNATURE

DATE

SIGNATURE

DATE

18.

ATTACHMENTS

DESCRIPTION OF INVENTION

FORM NO. 915
1 JUN 56Figure 1
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(36)

MISSING PAGE

ORIGINAL DOCUMENT MISSING PAGE(S):

Enclosure Concurrence sheet